

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

J. KRISS and MICHAEL EJEEKAM alone and for BAYROCK,
MERRIMAC LLC; BAYROCK GROUP LLC, BAYROCK SPRING
STREET LLC; BAYROCK WHITESTONE LLC; and BAYROCK
CAMELBACK LLC;

Plaintiffs I; and

E/O ERNEST GOTTDIENER, E/O JUDIT GOTTDIENER;
ERVIN TAUSKY; and SUAN INVESTMENTS, in their individual
Capacities and as putative class representatives;

Plaintiffs II;

v.

BAYROCK GROUP LLC; TEVFIK ARIF; JULIUS SCHWARZ;
FELIX SATTER; BRIAN HALBERG; SALVATORE LAURIA;
ALEX SALOMON; JERRY WEINRICH; SALOMON & CO. PC;
AKERMAN SENTERFITT LLP; MARTIN DOMB; CRAIG BROWN;
DUVAL & STACHENFELD LLP; BRUCE STACHENFELD; DAVID
GRANIN; NIXON PEABODY LLP; ADAM GILBERT; ROBERTS &
HOLLAND LLP; ELLIOT PISEM; MICHAEL SAMUEL; MEL
DOGAN; BAYROCK SPRING STREET LLC; JOHN DOES 1-100;
BAYROCK WHITESTONE LLC; BAYROCK CAMELBACK LLC;
BAYROCK MERRIMAC LLC; BAYROCK GROUP INC. TAMIR
SAPIR; ALEX SAPIR; "SAPIR DOES" 1-100;
WALTER SAURACK; SATTERLEE STEPHENS BURKE & BURKE
LLP; KELLY MOORE; MORGAN LEWIS & BOCKIUS LLP; NADER
MOBARGHA; MICHAEL BEYS; BEYS STEIN & MOBARGHA LLP;
ISTAR FINANCIAL; "LENDER INVESTOR DOES" 1-100;
NATIONAL UNION FIRE INSURANCE CO. OF PITTSBURGH, PA.;

13-CV-3905 (LGS)

NOTICE OF APPEAL

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Co-Counsel for Plaintiffs

The Estate of Ernest Gottdiener; the Estate of Judit Gottdiener; Suan Investments; and Ervin Tausky; certain plaintiffs ("Plaintiffs II") in this, the above-captioned action, hereby appeal to the United States Court of Appeals for the Second Circuit from the final order (apparently *sub silentio* first vacating their FRCP 41(a) voluntary dismissals without prejudice filed with the judgment clerk on July 13, 2015 as of right) dismissing this action with prejudice, entered by the district court (Schofield, J.) on November 16, 2015, ECF 137, including from all parts, aspects, and constituents thereof.

Plaintiffs II further appeal from prior orders, and all parts, aspects, and constituents thereof, entered in this matter, including without limitation the following:

- (1) The denial of plaintiffs' motion for remand, entered February 25, 2014, ECF 40.
- (2) The denial of plaintiffs' motion for emergency hearings *re* witness tampering alleged to have been committed by defendant Sater, entered April 17, 2014, ECF 49;
- (3) The denial of plaintiffs' motion to reconsider (2) entered May 8, 2014, ECF 62;
- (4) The denial of plaintiffs' motion to set aside that certain order of the magistrate sealing the complaint in its entirety, entered March 23, 2015, ECF 102; and

Both above listed counsels also appeal as interested parties (*viz.* non-party appellants) if and to the fullest extent they have standing to do so including, without limitation, insofar as any appealable orders are deemed or adjudged to be or embed or include sanctions or other adjudications in whole or in part against their interests, as will further be set forth during the appellate process.

Dated:	December 16, 2015 New York, New York
	/s/ Frederick M. Oberlander Lead Counsel Counsel of Record
	/s/ Richard E. Lerner Co-counsel